

IN THE SENATE

SENATE BILL NO. 1022

BY SCHROEDER

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1407, IDAHO CODE, TO  
REVISE PROCESSING FEE PROVISIONS RELATING TO CERTAIN FISH AND  
GAME VIOLATORS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-1407, Idaho Code, be, and the same is hereby amended to  
read as follows:

36-1407. PROCESSING FEE IMPOSED ON VIOLATORS. (a) In addition to the  
penalties provided for violating any of the provisions of title 36, Idaho Code, any person who  
pleads guilty, is found guilty, or is convicted of or received a withheld judgment for the illegal  
killing or the illegal possession or illegal waste of game animals shall be assessed a processing  
fee as follows:

(1) Moose or elk, ~~one two~~ hundred seventy-five fifty dollars (~~\$175~~250) per animal killed,  
possessed or wasted.

(2) Deer, pronghorn antelope, ~~fifty~~ seventy-five dollars (~~\$50~~75.00) per animal killed,  
possessed or wasted.

(3) Bighorn sheep, caribou, mountain goat and black bear, ~~seventy-five~~ one hundred  
twenty-five dollars (~~\$75~~125.00) per animal killed, possessed or wasted.

(b) In every case of a plea of guilty, a finding of guilt, a conviction or a withheld  
judgment, the court before whom such plea of guilty, finding of guilt or conviction is obtained  
or who enters a withheld judgment shall enter judgment ordering the defendant to pay the state  
in a sum or sums as hereinbefore set forth including post-judgment interest. If two (2) or more  
defendants are convicted of the illegal taking, killing or the illegal possession or wasting of the  
game animal, such judgment shall be declared against them jointly and severally.

(c) The judgment shall fix the manner and the time of payment. A defaulted judgment or  
any installment payment thereof may be collected by any means authorized for the enforcement  
of a judgment under the provisions of the Idaho Code.

(d) All courts ordering such judgments of processing fees shall order such payments to  
be made to the department which shall deposit them with the state treasurer, and the treasurer  
shall place them in the state fish and game set-aside account. These fees shall be available  
for the processing of the meat of moose, elk, deer, pronghorn antelope, bighorn sheep, caribou,  
mountain goat and black bear which have been illegally taken, accidentally killed, taken as a  
result of depredation problems or donated by sportsmen. The processed meat thereof shall be  
distributed by charitable organizations free to needy Idaho residents or utilized by charitable  
organizations.